

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

SANDRA VILLERS (01)

Criminal No. 3:16-CR-78-N

FACTUAL RESUME

I. PLEA

The defendant, Sandra Villers, is pleading guilty to Count One of the Second Superseding Indictment, which charges the defendant with conspiracy to defraud the United States, in violation of 18 U.S.C. § 371.

II. PENALTIES

The maximum penalties the Court can impose include:

- a. imprisonment for not more than five years;
- b. a fine not to exceed \$250,000.00, or twice the pecuniary gain to the defendant or loss to the victim(s), or both such fine and imprisonment;
- c. a term of supervised release not to exceed three years, which may be mandatory under the law and will follow any term of imprisonment. If the defendant violates the conditions of supervised release, the Court may revoke such release term and require that the defendant serve any or all of such term as an additional period of confinement. The effect of a revocation of a term of supervised release is to make the overall period of incarceration longer;
- d. a mandatory special assessment of \$100;
- e. restitution to victims or to the community, which may be mandatory under the law;

f. costs of incarceration and supervision.

III. ELEMENTS OF THE OFFENSE

In order to prove the offense alleged in Count One of the Second Superseding Indictment, that is, conspiracy to defraud the United States, in violation of 18 U.S.C. § 371, the government must prove each of the following elements beyond a reasonable doubt:

- First:* That the defendant and at least one other person made an agreement to commit the crime of causing the introduction and delivery of an adulterated and misbranded drug into interstate commerce with the intent to defraud or mislead;
- Second:* That the defendant knew the unlawful purpose of the agreement and joined in it willfully, that is, with the intent to further the unlawful purpose; and
- Third:* That one of the conspirators during the existence of the conspiracy knowingly committed at least one of the overt acts described in the superseding indictment, in order to accomplish some object or purpose of the conspiracy.

In order to prove the offense of introducing and delivering an adulterated and misbranded drug into interstate commerce with the intent to defraud or mislead, a violation of 21 U.S.C. § 331(a) and 333(a)(2), the government must prove each of the following elements beyond a reasonable doubt:

- First:* That the defendant caused the introduction and delivery of a drug, namely synthetic cannabinoids, into interstate commerce;
- Second:* That this drug was adulterated and misbranded because the drug had inadequate directions for all intended uses and contained false or misleading labeling; and
- Third:* That the drug was adulterated and misbranded with the intent to defraud or mislead.

IV. STIPULATED FACTS

The defendant, Sandra Villers, stipulates and agrees that beginning in or about 2013, codefendant, Kedrick Hawkins, began receiving shipments of synthetic cannabinoids at her personal residence from Julie Sica. Sica shipped, through the mail, misbranded drugs (i.e. "spice") from Florida to the Northern District of Texas for distribution in Hawkins' smoke shops.

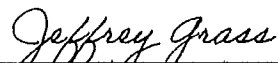
Villers stipulates that she, Hawkins, and Sica, directly or indirectly, reached an agreement to distribute misbranded drugs. Villers further stipulates that she knew the unlawful purpose of the agreement and that she joined in the agreement willfully, that is, with the intent to further its unlawful purpose.

Villers further stipulates that the misbranded drugs that she conspired to introduce into interstate commerce were synthetic cannabinoids. That the synthetic cannabinoids at issue were misbranded because the packages had inadequate directions for all intended uses and contained false or misleading labeling that were intended to defraud or mislead.

AGREED TO AND SIGNED this 23 day of June, 2016.



SANDRA VILLERS
Defendant



JEFFREY GRASS
Attorney for Defendant